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JOSEPH C. FRAULOB – CA State Bar #194355
Attorney For Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TINA MARIE CARPENTER

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

No. 2:22-cv-0294 DB (SS)

**STIPULATION AND ORDER FOR
AWARD OF EAJA FEES**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that Plaintiff be awarded attorney fees in the amount of five thousand, two hundred and fifty dollars (\$5,250.00) under the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), and costs in the amount of four hundred and two dollars (\$402) under 28 U.S.C. 1920. This amount represents compensation for legal services rendered on behalf of Plaintiff by her counsel in connection with this civil action, in accordance with 28 U.S.C. 1920, 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's counsel. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine if it is subject to any offset.

1 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
2 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees
3 and costs to be made directly to Plaintiff's counsel Joseph C. Fraulob, pursuant to the written
4 assignment executed by Plaintiff. Any and all payments shall be delivered to Plaintiff's counsel
5 Joseph Fraulob.

6 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
7 attorney fees and does not constitute an admission of liability on the part of Defendant under the
8 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
9 bar to, any and all claims that Plaintiff and/or Plaintiff's counsel, including the Law Offices of
10 Hadley & Fraulob may have relating to EAJA attorney fees and/or costs in connection with this
11 action.

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14 DATE: May 16, 2023

By /s/ Joseph Fraulob
JOSEPH FRAULOB
Attorney for plaintiff

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16
17 DATE: May 16, 2023

PHILLIP A. TALBERT
United States Attorney

18
19 By /s/ Mary Tsai

20 (As authorized via email)

21 MARY TSAI
22 Special Assistant United States Attorney

23 ORDER

24 APPROVED AND SO ORDERED.

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26 DATED: May 22, 2023

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE